IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 354 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

PRAJAPATI GOPALBHAI BHIKHABHAI

Versus

PRAJAPATI MEENABEN GOPALBHAI

Appearance:

1. Civil Revision Application No. 354 of 2000

MR AM PAREKH for Petitioner No. 1

MR MITUL K SHELAT for Respondent No. 1

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 11/10/2001

ORAL JUDGEMENT

Heard learned counsel for the parties.

1. The respondent - wife has already been awarded

Rs.325/- per month in the proceeding under Section 125 of the Criminal Procedure Code. The learned Trial Judge, in the petition filed by the petitioner for divorce under the Hindu Marriage Act, has awarded Rs.2000/- per month as interim maintenance under Section 24 of the Act to the respondent - wife. The husband has, therefore, filed this Revision Application challenging the said order. In the facts and circumstances, in my opinion, it will be just and proper if an amount of Rs.1500/- per month is awarded as interim maintenance to the respondent - wife under Section 24 of the Act. This will be in addition to the amount of Rs.325/- per month which has been awarded by the Criminal Court. This means that, in all the respondent - wife will get Rs. 1825/- as maintenance per month.

2. This Civil Revision Application is therefore partly allowed. In the impugned order, the figure of Rs.1500/- is substituted for Rs.2000/-. The rest of the order is confirmed. Rule is made absolute only to the said extent. Interim relief stands vacated.

(M.C.Patel,J.)

(vipul)